IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 1603 of 2004 (S/S)

1. Bal Raj Singh Negi
   S/o late Sri Inder Singh Negi
2. Dhan Pal Singh
   S/o Sri Kripal Singh
3. Madan Mohan Sunderyal
4. Sri Krishan Rawat
5. Bhupender Singh Rawat

……..…… Petitioners

Versus

1. State of Uttaranchal
   through Labour Secretary
   Secretariat, Uttaranchal, Dehradun.
2. Director of Training and Employment
   Directorate, Uttaranchal, Sharam Bhawan,
   Haldwani, District Nainital.
3. Principal
   Government Industrial Training Institute
   Shald – Mahadev, District Chamoli.

……..... Respondents

None for the petitioners.
Mr. Paresh Tripathi, learned Brief Holder for the State.

Hon'ble Prafulla C. Pant, J.

None present for the petitioners.

Learned Brief Holder is present for the State.

2) By means of this writ petition, the petitioners, who are Prashikshan Mitra (Instructors) on daily wages, under Directorate of Training and Employment, have sought their regularization in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006***

A.I.R.S.C.W. Page 1991, that daily wage workers and the persons employed without undergoing regular selection process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) Therefore, the writ petition is dismissed. Interim order dated 24.12.2004 stands vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: November 15, 2006
H.Negi